
The Virginia Department of Social Services Reasonable Candidacy Program



TABLE OF CONTENTS

SECTION 1.0 GENERAL

1.1	Statutory Background	1
1.2	Purpose.....	1

SECTION 2.0 REASONABLE CANDIDACY PROGRAM

2.1	Authority to Make Reasonable Candidacy Determinations.....	2
2.2	Reasonable Candidacy Requirements	2
2.3	Types of Reasonable Candidates	2
2.4	Exclusionary Conditions of Reasonable Candidacy	3

SECTION 3.0 ESTABLISHING AND MAINTAINING REASONABLE CANDIDACY

3.1	Establishing Reasonable Candidacy	4
3.2	Maintaining Reasonable Candidacy	4
3.3	Reasonable Candidacy Documentation Methods	4
3.4	Reasonable Candidacy Documentation Form.....	5
3.5	Record Retention and Destruction	6

SECTION 4.0 CLAIMING ADMINISTRATIVE COSTS FOR REASONABLE CANDIDATES

4.1	Random Moment Sampling	7
4.2	Completing the RMS Observation.....	7

APPENDIX A REASONABLE CANDIDACY DOCUMENTATION FORM

1.0 GENERAL

1.1 Statutory Background

The Adoption Assistance and Child Welfare Act of 1980, P. L. 96-272, was enacted on June 17, 1980. Title IV of the Social Security Act (Act) was amended and a new Part E, federal payments for Foster Care and Adoption Assistance, was created.

Title IV-E provided for a phased repeal of Section 408 of the Act, which provided authority for federal matching in state foster care (FC) payments under the Title IV-A, Aid to Families with Dependent Children Foster Care program (AFDC-FC). States could continue to receive federal matching for AFDC-FC payments under Title IV-A of the Act until September 30, 1982, or the quarter in which the state implemented an approved State Plan under Title IV-E. The earliest implementation date for Title IV-E was October 1, 1980. Presently, in order to carry out the provisions of Title IV-E, appropriations made available for that program are to be used for making payments to those states which have approved state plans under Title IV-E (Section 471; 42 U.S.C. 671; 45 CFR 1356.20).

45 CFR 1356.60 (c) allows federal financial participation (FFP) for administrative costs to be claimed for reasonable candidates for foster care regardless of whether the children are actually placed in foster care and receive Title IV-E foster care maintenance payments.

1.2 Purpose

As the designated Title IV-E agency, the Virginia Department of Social Services (VDSS) is responsible for supervising the Title IV-E Plan in Virginia and ensuring that costs claimed under Title IV-E are reasonable, necessary, and consistent with applicable Federal guidelines. Title IV-E reimbursement is allowed for administrative activities performed on behalf of children deemed to be a reasonable candidate for foster care regardless of whether these children are actually placed into foster care and become recipients of Title IV-E foster care maintenance payments. This manual outlines both federal and state regulations and policies which allow VDSS to claim Title IV-E administrative cost reimbursement on behalf of local departments of social services (LDSS) for reasonable candidates for foster care. For children who have been determined a reasonable candidate for foster care, VDSS, after applying the Title IV-E penetration rate, can claim 50 percent FFP for allowable administrative costs on behalf of the LDSS.

2.0 REASONABLE CANDIDACY PROGRAM

2.1 Authority to Make Reasonable Candidacy Determinations

- 2.1.1 Only LDSS employees are authorized to make the determination of reasonable candidacy for foster care.
- 2.1.2 Contracted persons are not considered employees of the LDSS and may not make determinations with respect to reasonable candidacy. All other activities performed by contracted personnel associated with a documented reasonable candidate are permissible and should be captured during the Random Moment Sample (RMS) process.

2.2 Reasonable Candidacy Requirements

- 2.2.1 No exception or deviance to any applicable services' policy (Foster Care Prevention/Stabilization, Child Protective Services, and/or Comprehensive Service Act) should occur in the effort to determine a child as a reasonable candidate.
- 2.2.2 A child is a reasonable candidate when it is documented that he/she is at serious risk of removal from the home as evidenced by the LDSS service worker either pursuing his/her removal from the home, or making reasonable efforts to prevent such removal.
- 2.2.3 There is not a specified time limit for how long a child may be considered a reasonable candidate for foster care. The LDSS must document its justification for maintaining a child as a reasonable candidate for foster care at least once every six months. (See sections 3.2 – 3.4)

2.3 Types of Reasonable Candidates

- 2.3.1 Pre-Placement – The LDSS is seeking to remove the child from the home and place the child in foster care; or the LDSS is making reasonable efforts to prevent the removal from the home and placement of the child in foster care.
- 2.3.2 Post-Placement – The LDSS is making reasonable efforts towards preventing the child's re-entry into foster care by providing aftercare services to the reunited family.
 - If the LDSS determines that the finalized adoptive placement is in jeopardy and demonstrates that the adopted child is a candidate for foster care, the LDSS may claim allowable Title IV-E administrative costs under the foster care program for activities performed on behalf of the child as a reasonable candidate.

2.4 Exclusionary Conditions of Reasonable Candidacy

- 2.4.1 Federal law and policy clearly outline the following exclusionary conditions for reasonable candidacy:
- Children over the age of 18
 - Children that are no longer at risk of removal from home
 - Children that are currently placed in a foster care setting or a facility outside the scope of foster care such as detention, forestry camps and psychiatric hospitals
 - An unborn, prenatal case
 - Children with which the LDSS does not have a case plan, or the case plan does not meet the requirements indicated in section 3.3.1
 - The LDSS service worker did not redetermine, at least every six months, that the child remains at serious risk of removal from the home.
 - Children who are on a trial home visit (THV)
- 2.4.2 A child may not be considered a candidate for foster care solely because the LDSS is involved with the child and his/her family. The LDSS' involvement with the child and family must be for the specific purpose of either removing the child from the home or making reasonable efforts to prevent the child's removal from the home.
- 2.4.3 The child cannot simultaneously be considered in foster care and a reasonable candidate for foster care.

3.0 ESTABLISHING AND MAINTAINING REASONABLE CANDIDACY

3.1 Establishing Reasonable Candidacy

- 3.1.1 The LDSS service worker is to evaluate reasonable candidacy on a case-by-case basis. In situations which include several children within a sibling group, evaluation and documentation in the services case record must support a determination of reasonable candidacy for each child individually.
- 3.1.2 All necessary and appropriate documentation used in conjunction with the Documentation Form to establish reasonable candidacy must be maintained in the services case record.
- 3.1.3 Initial reasonable candidacy determination may not be made retroactively. (See section 3.4.2)

3.2 Maintaining Reasonable Candidacy

- 3.2.1 The LDSS service worker must clearly document continued reasonable candidacy no later than six months from the initial determination and continue to make redeterminations no less frequently than once every six months thereafter. This is done by updating the child's case plan or through updated court proceedings to show that the child remains a reasonable candidate for foster care.
- 3.2.2 Once the child is no longer at risk of foster care placement, the service worker must cease classifying the child as a reasonable candidate for foster care (see section 2.3). Although there are no formal documentation methods, case plans should be updated to reflect that the child is no longer a reasonable candidate.
- 3.2.3 All necessary and appropriate documentation used to maintain reasonable candidacy status must be maintained in the services case record.

3.3 Reasonable Candidacy Documentation Methods

The acceptable methods of documentation indicating that a child is a reasonable candidate for foster care are:

- 3.3.1 Defined Case Plan - A defined case plan which clearly indicates that, absent effective preventive services, foster care is the planned arrangement for the child.
 - The decision to remove a child from his/her home is significant and should not be entered into lightly. Therefore, a case plan that indicates that foster care is the planned placement for the child absent effective preventive services is an indication that the child is at serious risk of removal from his/her home because the LDSS believes that a plan of action is needed to prevent that removal.

- Case plans must be individualized for a specific child, developed jointly with the child (when appropriate), the parents or guardians, and include a description of the services to be offered and provided to prevent removal of the child from the home. The case plan and documentation must clearly show that the case is actively being managed to maintain the child at home and to prevent placement of the child in foster care.

Acceptable types of case plans include but are not limited to:

- ✓ Foster Care – Services Plan
 - ✓ Child Protective Services – Ongoing Services Plan
 - ✓ Individual Family Services Plan (IFSP)
- When the child exits foster care and is receiving aftercare services and meets the reasonable candidacy requirements, a case plan must be developed that would indicate that foster care is the planned placement for the child absent effective aftercare services. For example, the service worker may develop a case plan that demonstrates its intent to remove the child from the home and return him/her to foster care if the aftercare services prove unsuccessful.

3.3.2 Court Proceedings - Evidence of court proceedings in relation to the removal of child from the home.

- If the LDSS has initiated court proceedings to remove the child from his/her home, copies of the petition, court order, or transcript of court proceedings are sufficient to deem this child to be at serious risk of removal.

3.3.3 Although the case plan developed by the LDSS service worker can be used as acceptable documentation to support reasonable candidacy, if a court order, petition, or transcript regarding removal/preventing removal of the child is available, the judicial documentation must be maintained in the services case record.

3.4 Reasonable Candidacy Documentation Form

3.4.1 Purpose and Use – The Reasonable Candidacy Documentation Form (See Appendix A) must be used to document the initial reasonable candidacy determination and every redetermination thereafter.

3.4.2 Effective Date – The child is considered to be a documented reasonable candidate when all requirements are met and the documentation form is complete with signatures. The initial reasonable candidacy begin date is the day the service worker completes and signs the form and obtains the supervisor's signature.

3.4.3 Initial and Redetermination Dates – The initial reasonable candidacy determination date begins the six month "clock" for when the first redetermination is due. Every redetermination thereafter is due within six months of the service worker's signature date.

3.5 Records Retention and Destruction

3.5.1 Reasonable candidacy documentation is to be retained in accordance with The Library of Virginia's Records Retention and Disposition Schedule – General Schedule No. 15 for service case records.

- “Retain 3 years after last action.”

3.5.2 Destruction of reasonable candidacy documentation should be conducted in accordance with The Library of Virginia's Records Retention and Disposition Schedule – General Schedule No. 15

- “Custodian of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping.”

4.0 CLAIMING ADMINISTRATIVE COSTS FOR REASONABLE CANDIDATES

4.1 Random Moment Sampling

- 4.1.1 The administrative costs for children determined to be reasonable candidates are claimed through the Random Moment Sampling (RMS) observation process. RMS observations are used to document the specific program activity the worker is engaged in at a randomly selected moment in time.
- 4.1.2 Administrative costs for activities performed by a service worker in association with reasonable candidates may be indicated during the RMS observation only when the LDSS has documented that the child is a reasonable candidate for foster care.
- Examples of such activities are case management and supervision, referral to services, preparation for and participation in judicial determinations, placement of the child, development of the case plan, and case reviews.
 - Any LDSS worker performing activities in association with a documented reasonable candidate may indicate such during the RMS observation.

4.2 Completing the RMS Observation

- 4.2.1 RMS Observation Form and Certification Page – When the service worker is performing reasonable candidacy related activities and is selected to complete the RMS Observation Form and Certification Page; the service worker will indicate the corresponding program and activity codes on the Certification Page. Only one program code can be selected and subsequently only one accompanying activity code can be selected from the activities listed for the selected program code.
- 4.2.2 Program Code – Other Child Welfare Services (Child Still in the Home) program code (360) is indicated on the RMS Observation Form by circling the program name and code on the selection list and recording the program code in Step 3 on the Certification Page.
- 4.2.3 Activity Code – The Pre-placement Prevention activity code (420) is indicated on the on the RMS Observation Form by circling the activity name and code on the selection list and recording the activity code in Step 3 on the Certification Page.
- The activity code 420 – Reasonable Candidacy can only be used in conjunction with program code 360 – Other Child Welfare Services (Child Still in the Home).

APPENDIX A

Reasonable Candidacy Documentation Form

INSTRUCTIONS & GUIDELINES	
<ul style="list-style-type: none">❖ <u>Only</u> LDSS employees are authorized to make the determination of reasonable candidacy for foster care.❖ A copy of this form is to be maintained in the child's service record.❖ The LDSS service workers must comply with all applicable Foster Care Prevention/Stabilization, Child Protective Services, and/or Comprehensive Service Act requirements.❖ A child is a reasonable candidate when he/she is documented as a serious risk of removal from the home as evidenced by the local agency service worker either pursuing his/her removal from the home, or making reasonable efforts to prevent such removal.	
PART A – CLIENT INFORMATION	
LDSS:	
SERVICE WORKER'S NAME:	WORKER IDENTIFICATION #:
CHILD'S NAME:	CASE #:
DATE OF BIRTH: _____ – (Check one of the following) <input type="checkbox"/> Under the age of 18 <input type="checkbox"/> Age 18 or older – Not a Reasonable Candidate	
WHERE IS THE CHILD LIVING? – (Check one of the following) <input type="checkbox"/> In his/her home <input type="checkbox"/> Outside of the home: <u>foster care setting/detention/forestry camp/psychiatric hospital</u> – Not a Reasonable Candidate	
PART B – REASONABLE CANDIDACY DOCUMENTATION METHOD	
CIRCLE ONE: Initial Determination <u>or</u> Redetermination	
Check <u>one</u> of the appropriate methods to document a child's reasonable candidacy status: <input type="checkbox"/> A case plan which clearly indicates: (<u>all</u> of the requirements below must be verified and <u>all</u> boxes must be checked to properly document a child as a reasonable candidate) <ul style="list-style-type: none"><input type="checkbox"/> that absent effective preventive services, foster care placement is the planned arrangement of the child; <u>and</u><input type="checkbox"/> that the plan was developed jointly with the child, and the parents or guardians when appropriate; <u>and</u><input type="checkbox"/> a description of the services offered and/or provided to prevent the removal of the child from the home; <u>and</u><input type="checkbox"/> the case is actively being managed to maintain the child in the home and/or prevent placement into foster care Or, <input type="checkbox"/> Evidence of court proceedings in relation to the removal of the child from his/her home, in the form of a petition, a court order, or transcript of the court proceedings <u>and</u> a copy is maintained in the child's service record.	
SERVICE WORKER'S SIGNATURE:	DATE:
SUPERVISOR'S SIGNATURE: A redetermination is due within six months of this date.	DATE: